



CYRULNIK FATTARUSO LLP

55 BROADWAY, THIRD FLOOR, NEW YORK, NY 10006

November 23, 2022

**VIA ECF**

Honorable Mary Kay Vyskocil  
United States District Judge  
Daniel Patrick Moynihan U.S. Court House  
500 Pearl Street  
New York, New York 10007

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 11/23/2022

Re: *Brevet Holdings, LLC et al. v. Enascor, LLC et al.*, No. 1:21-cv-1540-MKV

Dear Judge Vyskocil:

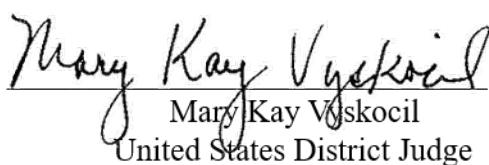
I write on behalf of Defendants-Counterclaim Plaintiffs, Paul Iacovacci and Enascor LLC, regarding the Initial Pre-Trial Conference in this case, which is now scheduled for November 29, 2022.

We have noted the Court's Individual Rule 3.A, which directs that the "attorney who will serve as principal trial counsel must appear at all conferences with the Court." Although we cannot say with certainty at this early stage of the case who will serve as principal trial counsel, I write to inform the Court that I am unable to appear on November 29 because of pre-trial commitments in the Delaware Court of Chancery, where I am set to begin a trial several days later. With the Court's permission, my partner Ian M. Dumain will appear at the Initial Pre-Trial Conference on November 29. Mr. Dumain shares responsibility for this matter.

We have conferred with counsel for Plaintiffs-Counterclaim Defendants, who consent to proceeding on November 29 with Mr. Dumain appearing on behalf of Defendants-Counterclaim Plaintiffs. If the Court would prefer that I appear at the Initial Pre-Trial Conference, we respectfully request an adjournment of the conference, in which case, we propose to meet-and-confer with counsel for the Plaintiffs-Counterclaim Defendants about mutually convenient dates we could propose to the Court.

**The request for Mr. Dumain to appear at the Initial Pretrial Conference on November 29, 2022 is GRANTED. SO ORDERED.**

Date: 11/23/2022  
New York, New York

  
Mary Kay Vyskocil  
United States District Judge

Respectfully,  
/s/ Jason Cyrulnik  
Jason Cyrulnik